

**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT") TO DESIGN AND BUILD THE ATLANTA MEMORIAL PARK/TANYARD PARK TRAIL (GDOT PI #00000187) PROJECT IN CONJUNCTION WITH THE TRANSPORTATION ENHANCEMENT ACTIVITIES PROGRAM ADMINISTERED BY GDOT; ALSO AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PATH FOUNDATION, INC. ("PATH"), APPOINTING PATH TO ACT AS THE CITY'S AGENT AND CONSTRUCTION MANAGER FOR THE ATLANTA MEMORIAL PARK/TANYARD PARK TRAIL PROJECT IN AN AMOUNT NOT TO EXCEED \$1,187,500.00 WHEREBY ALL ASSOCIATED WORK WILL BE CHARGED TO AND PAID FROM THE FOLLOWING FUND, DEPARTMENT AND ACCOUNT NUMBER: 3138 (2008 QUALITY OF LIFE BOND FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13102550/ 102 / 313821776 / 5414002 / COA (\$250,000.00) & 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13210350/ 101 / 2501XXXXX / 51*** & 52***** & 53***** & 55*****/ COA (\$937,500.00); AND FOR OTHER PURPOSES.**

WHEREAS, the City has the goal of providing trails for the use of its citizens and visitors as a safe venue to engage in outdoor activities free of conflicts with automobiles on the streets and rights of way; and

WHEREAS, consistent with that goal and the Atlanta Greenway Trail Master Plan adopted by the City in 1993, the City desires to design and construct a twelve foot wide, five inch thick, concrete multi-use trail between Ardmore Park and Bobby Jones Golf Course known as Atlanta Memorial Park/Tanyard Park Trail Project and as more fully shown on Exhibit "A"; and

WHEREAS, the City of Atlanta Quality of Life Improvement Bond proceeds ("QOL funds"), authorized pursuant to Ordinance 08-O-0182, have made available over 20% (\$250,000.00) of the estimated project costs necessary to design and/or construct Atlanta Memorial Park/Tanyard Park Trail Project; and

WHEREAS, pursuant to the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), GDOT has committed up to 80% (\$937,500.00) in Transportation Enhancement ("TE") funds for Atlanta Memorial Park/Tanyard Park Trail Project, GDOT Project Number STP00-0000-00(187), PI# 0000187 ; and

WHEREAS, the City is required to execute an Innovative Financing Memorandum of Understanding with GDOT in order to receive the committed TE funds; and

WHEREAS, the stated goal of PATH is to facilitate such trail systems by providing expertise in the planning and implementation of such project and locating private funding to combine with

the local government match necessary to access federal funding made available as a part of the Transportation Enhancement Activities program administered by the Georgia Department of Transportation; and

WHEREAS, PATH has facilitated arrangements in which large amounts of funding were made available from sources other than the City of Atlanta for design, engineering, and construction work connected with development of the various Projects; and

WHEREAS, the City wishes to enter into contract with PATH to act as the City's agent and construction manager for the Atlanta Memorial Park/Tanyard Park Trail Project.

NOW THEREFORE, be it resolved by the Council of the City of Atlanta as follows:

Section 1. That the Mayor is hereby authorized to execute on behalf of the City of Atlanta, an Innovative Financing Memorandum of Understanding with the Georgia Department of Transportation for Project Number STP00-0000-00(187), PI# 0000187, demonstrating the City's commitment to furnish the local funding match and to the procedures and requirements related to the Transportation Enhancement program.

Section 2. That the Mayor is hereby authorized to execute on behalf of the City of Atlanta, a contract with the PATH Foundation, Inc. in an amount not to exceed One Million One Hundred Eighty Seven Thousand Five Hundred Dollars and no cents (\$1,187,500.00) to allow PATH to act as the City's agent and construction manager and to engage one or more general contractors to complete the City's obligations as more specifically provided in the agreement between the City of Atlanta and the Georgia Department of Transportation.

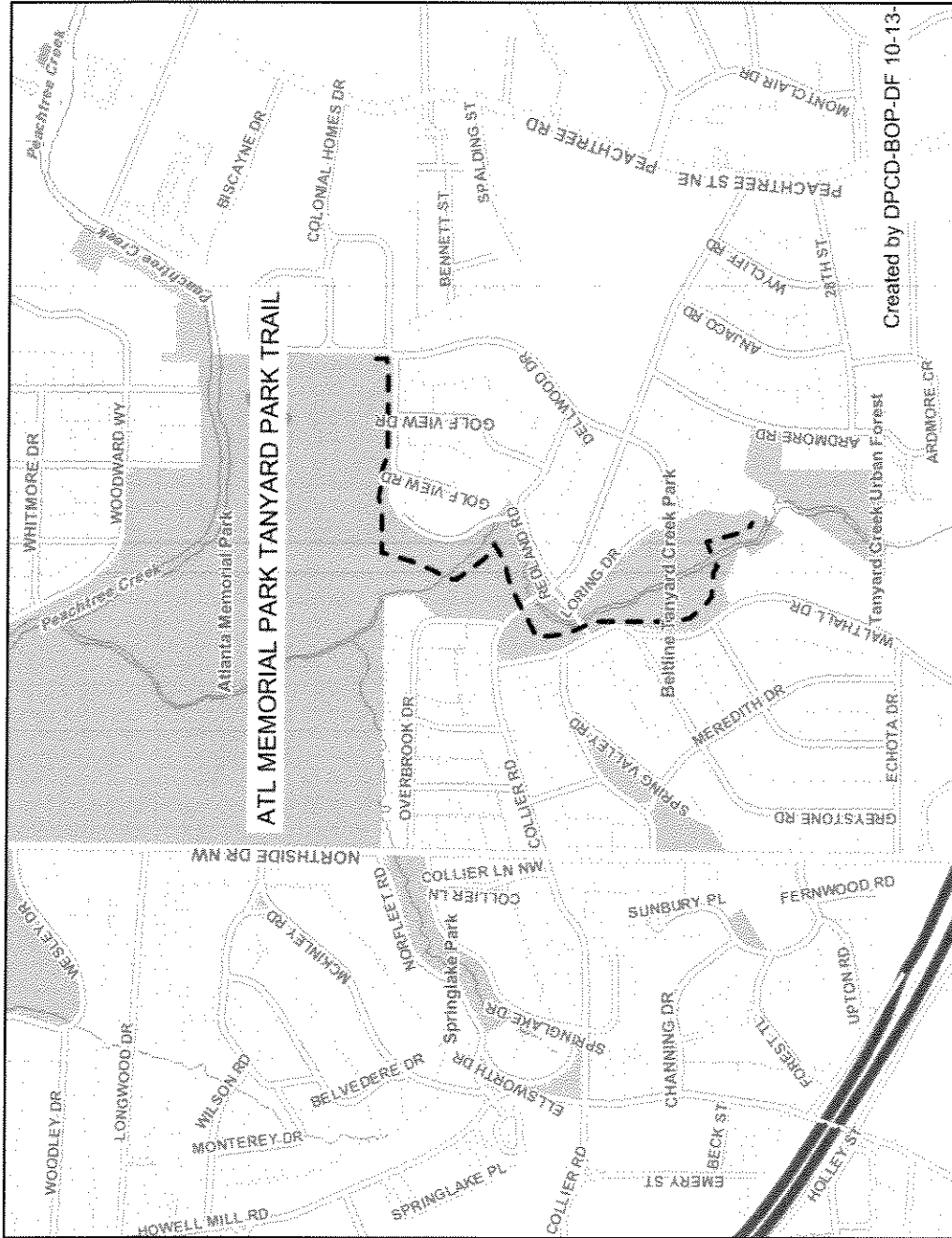
Section 3. That all associated work be charged to and paid from the following Fund, Department and Account Number: 3138 (2008 Quality of Life Bond Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) AND PTAE0 Funding Sources: 13102550/ 102 / 313821776 / 5414002 / COA (\$250,000.00) & **3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13210350/ 101 / 2501XXXXX / 51***** & 52***** & 53***** & 55*****/ COA (\$937,500.00).**

Section 4. That the Mayor is authorized to execute and file an assurance or any other document required by the US DOT and GDOT certifying compliance with Title VI of the Civil Rights Act of 1964.

Section 5. That the City of Atlanta shall, and shall require its contractors and subcontractors to comply with all applicable requirements of the Davis-Bacon Act of 1931, 40 U.S.C. 276(a); as prescribed by 23 U.S.C. 113, for Federal-aid highway projects, except for projects located on roadways classified as local roads or rural minor collector, which are exempt.

Section 6. The City Attorney be and hereby is directed to negotiate, prepare, review and present to the Mayor for execution, the agreement(s) necessary to effect the intent of this resolution provided that such agreements are in compliance with the conditions set forth herein.

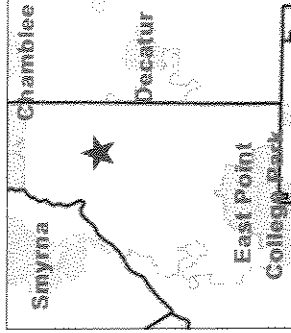
EXHIBIT A



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Map center: 2224803, 1386461

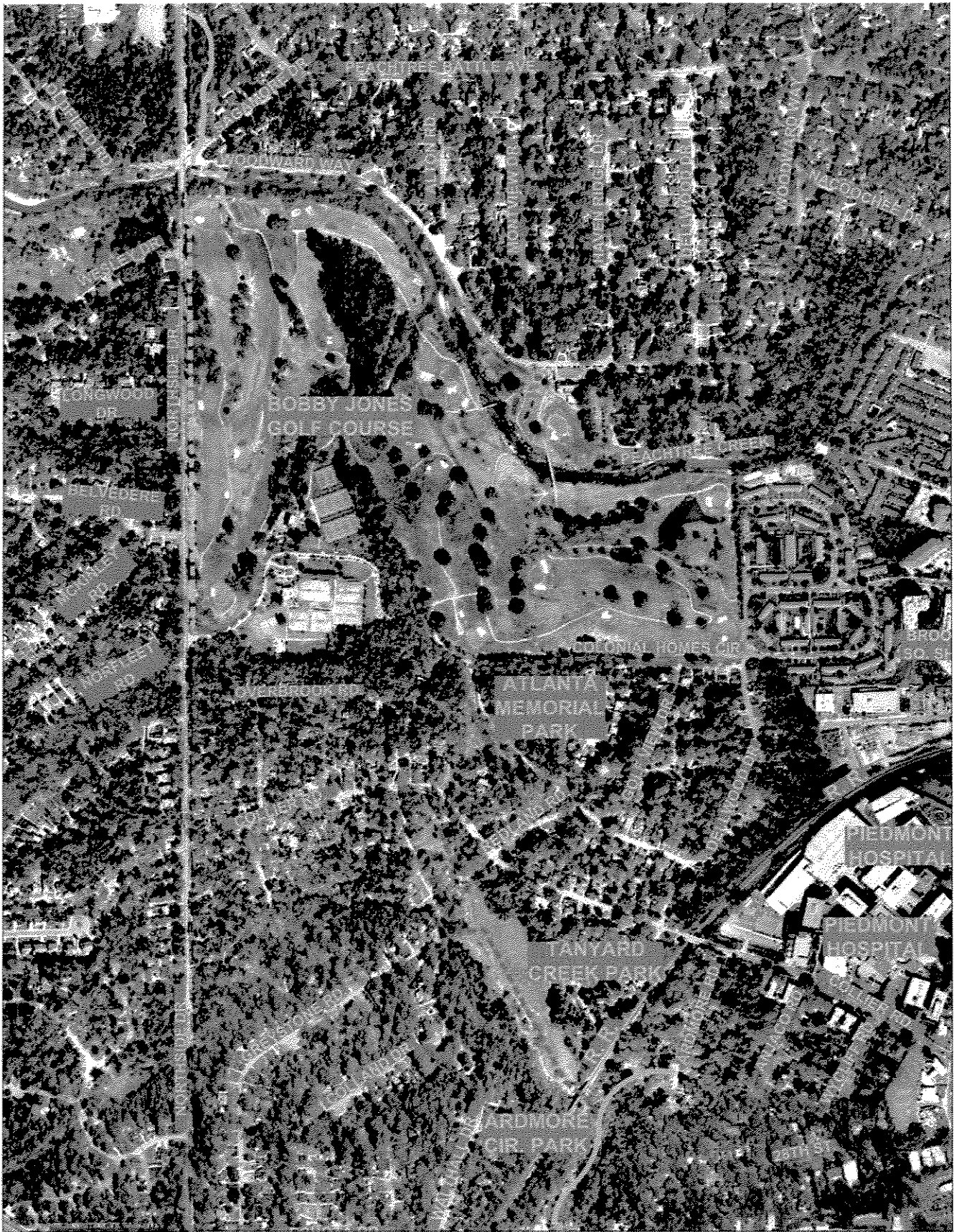
Notes: This map is only a representation of the location of the trail. The actual trail location should be viewed on the project plans.



- ## Legend
- Streets and Highways
 - Other Limited Access
 - State Route
 - Arterial Roads
 - Streets
 - Ramps
 - Unknown
 - County Boundaries
 - Parcels
 - Airport Labels
 - Airport Runways
 - Runway/Apron/Taxiway
 - Streams
 - Ponds
 - Parks
 - Greenway Acquisitions
 - Atlanta City Limits
 - Metro Cities



Scale: 1:12,627



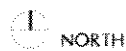
EXISTING TRAIL

PROPOSED NORTHSIDE DRIVE TRAIL-GDOT PI# 0004166

PROPOSED TANYARD PARK TRAIL



0 200 400 600
SCALE: 1" = 200'-0"



ECOS

ECOS ENVIRONMENTAL DESIGN, INC.

May, 2007

EXHIBIT

A

Conceptual Routes

PATH/Beltline
Bobby Jones/Tanyard Park



Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT") TO DESIGN AND BUILD THE ATLANTA MEMORIAL PARK/TANYARD PARK TRAIL (GDOT PI #00000187) PROJECT IN CONJUNCTION WITH THE TRANSPORTATION ENHANCEMENT ACTIVITIES PROGRAM ADMINISTERED BY GDOT; ALSO AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PATH FOUNDATION, INC. ("PATH"), APPOINTING PATH TO ACT AS THE CITY'S AGENT AND CONSTRUCTION MANAGER FOR THE ATLANTA MEMORIAL PARK/TANYARD PARK TRAIL PROJECT IN AN AMOUNT NOT TO EXCEED \$1,187,500.00 WHEREBY ALL ASSOCIATED WORK WILL BE CHARGED TO AND PAID FROM THE FOLLOWING FUND, DEPARTMENT AND ACCOUNT NUMBER: 3138 (2008 QUALITY OF LIFE BOND FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13102550/ 102 / 313821776 / 5414002 / COA (\$250,000.00) & 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13210350/ 101 / 2501XXXXX / 51***** & 52***** & 53***** & 55*****/ COA (\$937,500.00);AND FOR OTHER PURPOSES.

Council Meeting Date: November 3, 2008

Requesting Dept.: Planning and Community Development & Public Works

FAC Confirmed by: Tom Evans/Tom Boyce

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to allow PATH Foundation Inc. to act as the Construction Manager for the implementation of the Design Revision and Construction of the **Atlanta Memorial Phase 1A Trail Project**

using Federal TE funds and local funds (Quality of Life Bonds, Future Bonds, Impact Fees, and etc.). The project is to build a min. 12' wide, 5" thick, concrete multi-use trail between Ardmore Park and Bobby Jones Golf Course. This trail is an integral part of the Atlanta Greenway Trail Master Plan adopted by the City in 1993.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

We have entered various Construction Manager's contracts with PATH Foundation Inc. (a non profit) in the past, since they have donated administrative labor, right of way, and various other services to the construction of various City of Atlanta's Trail projects. This resolution reflects our desire to build more bike trails in the City of Atlanta and to promote transportation infrastructure that will give the citizens other means to travel in and around the City.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):

Professional Services

(b) Source Selection: Sole Source

(c) Bids/Proposals Due: n/a

(d) Invitations Issued: n/a

(e) Number of Bids: n/a

(f) Proposals Received: n/a

(g) Bidders/Proponents: n/a

(h) Term of Contract: 5+ years (2009 thru 2014)

4. Fund Account Center (Ex. Name and number) PTAE0:

Segment	CD #	DPW GO#	Project #	Task #	Budget Allocation
IA	08	GO-0419	13210350	101	\$937,500.00
IA	08	GO-0419	13102550	102	\$250,000.00
TOTAL					\$1,187,500.00

PTAEO (Project/Task/Award/Expenditure/City of Atlanta)

PTAEO: 13210350/ 101 / 2501XXXX / 51***** & 52***** & 53***** & 55*****/ COA

PATAEO: 13102550/ 102 / 313821776 / 5414002 / COA

5. Source of Funds: Quality of Life Bonds Funds Match and Federal Transportation Funds

6. Fiscal Impact: This legislation will result in a reduction in the amount of **\$937,500** to PTAE0: 13210350/ 101 / 2501XXXX / 51***** & 52***** & 53***** & 55*****/ COA - and in the amount of \$250,000 to PATAEO: 13102550/ 102 / 313821776 / 5414002 / COA.

7. Method of Cost Recovery:

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

No revenues will be generated with this contract.

This Legislative Request Form Was Prepared By: Deon Franklin

2043

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Deon Franklin

Contact Number: x6910

Originating Department: Planning and Community Development

Committee(s) of Purview: ~~████████████████████~~ Finance / Executive Committee

Chief of Staff Deadline: October 15, 2008

Anticipated Committee Meeting Date(s): October 29, 2008

Anticipated Full Council Date: November 3, 2008

Legislative Counsel's Signature: 

 Commissioner Signature: 

Chief Procurement Officer Signature: _____ N/A _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT") TO DESIGN AND BUILD THE ATLANTA MEMORIAL PARK/TANYARD PARK TRAIL (GDOT PI #00000187) PROJECT IN CONJUNCTION WITH THE TRANSPORTATION ENHANCEMENT ACTIVITIES PROGRAM ADMINISTERED BY GDOT; ALSO AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PATH FOUNDATION, INC. ("PATH"), APPOINTING PATH TO ACT AS THE CITY'S AGENT AND CONSTRUCTION MANAGER FOR THE ATLANTA MEMORIAL PARK/TANYARD PARK TRAIL PROJECT IN AN AMOUNT NOT TO EXCEED \$1,187,500.00 WHEREBY ALL ASSOCIATED WORK WILL BE CHARGED TO AND PAID FROM THE FOLLOWING FUND, DEPARTMENT AND ACCOUNT NUMBER: 3138 (2008 QUALITY OF LIFE BOND FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13102550/ 102 / 313821776 / 5414002 / COA (\$250,000.00) & 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAE0 FUNDING SOURCES: 13210350/ 101 / 2501XXXXX / 51***** & 52***** & 53***** & 55*****/ COA (\$937,500.00); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$937,500 GDOT TE FUNDS; \$250,000 in QOL FUNDS

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____